

The Salisbury Planning Board held its regular meeting on Tuesday, December 10, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Lou Manning, Rodney Queen, Fred Dula, Sandy Reitz, Jeff Smith, Eldridge Williams, Ken Mowery, Brian Miller, Sean Reid

ABSENT: Elaine Stiller, Jerry Wilkes

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelson, Hubert Furr, Tammy File

The meeting was called to order by Chairman Dula. The minutes of November 26, 2002, were approved as published.

ZONING MAP AMENDMENTS

Z-22-02 Rodney Queen (Woodstone Project) – Old Mocksville Road and 7th Street Extension.

Location: Northeast corner of Old Mocksville Road and 7th Street Extension
Size: Approximately 5.65 Acres
Existing Zoning: R-8 (Single Family Residential District)
Proposed Zoning: B-RT (Retail Trade Business District)

(a) Chairman Dula convened a courtesy hearing on Z-22-02

[NOTE: Rodney Queen asked to be removed from the Board during the discussion and deliberation of his case. The Board voted Rodney off the Board, and he moved to sit in the audience.]

Planner Patrick Kennerly explained that the property proposed for rezoning is located at the northeast corner of Mocksville Road and 7th Street Extension. The property covers approximately 5.65 acres. There have been three previous attempts to rezone this property. The reason the applicant wants to request rezoning is to develop the property to better serve the needs of the area people as per the Vision 2020 Plan.

Those speaking in favor of the zoning change request:

Rodney Queen, the applicant (who lives a couple hundred feet from the property)- the vacant land is not well maintained. Mr. Queen feels this will be an enhancement to the area, would bring business to the community, and would be designed more for nearby residences rather than bringing traffic from across the city.

Warren Rice, 102 Polo Drive – Business at this location would reduce my personal errands distance from 3 ½ miles to like 100 yards, it would keep me off the road quiet a bit.

Mark Lewis, 136 Rugby Road- This would get people out of their automobiles and shorten their drives. Commercial development should be located on a corner, such as this.

Those speaking in opposition to the zoning change request:

Bill Wiseman, 2210 Old Mocksville Road – Mr. Wiseman said he doesn't want to see shopping center in the area. No room to walk along Old Mocksville Road. There is a tremendous amount of water that flows through the center of the property. Rezoning for this property has been brought up three times in the past.

Theolene Watson, 2765 7th Street Extension (her property joins this property) – Old Mocksville Road is narrow and has lots of big trucks and school buses using this road. Mr. Queen doesn't really know what he is going to put out there on that land, we will have to live with whatever comes out there if it is rezoned. Can't see any advantage in the rezoning.

John Glover, 109 Rugby Road – As Patrick Kennerly pointed out there are over 100 different uses allowable in the B-RT because of that I am opposed to the rezoning. Mr. Queen spoke to me but he had didn't know what was going there.

[NOTE: In addition, staff had received an email from Allen McMillian, of 2209 Mocksville Road, who was in opposition. Chairman Fred Dula read the email at the conclusion of the Courtesy Hearing.]

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Sean Reid – Doesn't look intrusive, it is at an intersection. Sean suggests setting up a committee to discuss this matter further.

Jeff Smith – This is at the intersection of two major roads, fairly large tract for a B-CS district, commercial would be good at this location.

Brian Miller – It is important to let the neighbors know alternatives.

The Planning Board decided to send this case to a committee with all members voting AYE. Committee 2 which consists of Jeff Smith (chair), Rodney Queen, Sean Reid, and Jerry Wilkes. Brian Miller agreed to replace Rodney Queen on the committee for this case.

The committee meeting was scheduled at 4:00, Thursday, December 12, in the 1st floor conference room of City Hall. Anyone in the audience was invited to attend.

Z-23-02 Main Street United Methodist Church

Location:	1312 North Main Street
Size:	Approximately 22,500 square feet
Existing Zoning:	SFC (Single Family Conservation Residential District)
Proposed Zoning:	B-1 (Office Institutional District)

(a) Chairman Dula convened a courtesy hearing on Z-23-02

Planner Patrick Kennerly explained that the area proposed for rezoning consists of two lots located in the 1300 block of North Main Street. The church wants to have a bigger sign so the public can see it.

Those speaking in favor of the zoning change request:

Rev. William Ragsdale – Minister at the Church – Wants to turn the existing sign, difficult to explain where the church is to people, want to turn sign so it can be seen coming and going down North Main Street.

Those speaking in opposition to the zoning change request:

None.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Rodney Queen- In favor of whatever changes it takes to help people find the church. Mr. Queen made the motion to approve. Lou Manning seconded the motion, with all members voting AYE.

Sean Reid – This appears to be “chipping away” at the SFC district.

[NOTE: Sr. Planner Harold Poole did notify Pat Sylvester of the proposed rezoning. Mrs. Sylvester lives on North Main Street and is interested in matters affecting North Main Street.]

Z-24S-02 &

Z-25S-02 Dennis N. Bunker III – 117 and 119 Lilly Avenue

Location: 117 and 119 Lilly Ave.

Size: 117 Lilly Ave. (Approx. 9375 sq. ft.)

119 Lilly Ave. (Approx. 6250 sq.ft.)

Existing Zoning: B-RT-S (Special Retail Trade Business with GD-A General Development-A Overlay)

Proposed Zoning: Same as existing zoning

(a) Chairman Dula convened a courtesy hearing on Z-24S-02 & Z25S-02

[NOTE: No change in zoning from zoning from B-RT-S, which was approved by City Council for these properties in Z-19S-00 and Z-20S-00 on October 3, 2000.]

Sr. Planner Harold Poole explained the proposed change from previous approval: For one of the “conditions”, reduce the front yard setback of a brick wall from 20 feet to 8 feet. In exchange, developer has agreed to plant additional shrubbery as shown on the attached “zoning brief”. The type and amount of additional shrubbery is dependent on whether applicant plants ornamental (small) trees or shade (large) trees, which is required by our Ordinance.

Both new requests for this property are like the old requests in not allowing vehicular access to Lilly Avenue. In Z-25S-02, in addition to the 6 foot high brick wall parallel to Lilly Avenue, there’s a 6 foot high brick wall parallel (and 20 feet from) the adjoining residential property (parcel 147, which currently is the McCracken property).

Those speaking in favor of the proposed change:

Dennis Bunker, 1140 Dilworth Crescent Row, Charlotte, NC- Walgreen Drug Store has agreed to reduce the size of their building to work at this site (provided the 20 feet from Lilly Avenue can be reduced to 8 feet).

Those speaking in opposition of the proposed change:

Al McCracken, 119 Lilly Ave., Owner of adjoining property- been before Planning Board numerous times, current regulations were previously arbitrated by City Council. Stick with original plan of City Council. No firm offer on property, not in best interest of neighborhood.

Mark Perry, 131 West Bank – People in the entire neighborhood will be affected by any changes on this corner of Lilly Ave. Not a compatible situation, too many intrusions, will cause neighborhood to be deteriorated. This matter has come up three times in the last six years.

Pauline McCracken, 119 Lilly Ave.- Mr. Bunker is asking for more and more, he is not giving the neighborhood anything. There is no guarantee that Walgreen's is going in on that property.

Ruth Meade, 157 Lilly Ave.- This is a very important part of Salisbury. The property at the corner is ugly.

Ruth Young, 153 Lilly Ave.- The status of Lilly Avenue was residential and now it's being changed. We have come to meetings so many times.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Brian Miller – To some extent, opposition is still debating B-RT. Brian agrees with the residents that what is there now is an eyesore. A previous compromise was made by City Council.

Jeff Smith - There was no compromise previously. Neighborhood didn't even want the 20-foot setback. Jeff said he would like to see the corner changed. The extra 12 feet can make a difference in developing that corner. He would like to see the corner changed in a positive way.

Sean Reid – Said he was previously against B-RT. Usually he votes with the neighborhood, but the idea of a Walgreen's is not a bad idea.

Rodney Queen- Reducing the setback of the wall from 20 feet to 8 feet doesn't make much of a difference, he would have to go with the residents.

Sandy Reitz- Ms. Reitz agrees that the neighbors have a point in wanting to see more of a site plan.

[NOTE: At this point, Dennis Bunker shows the site plan.]

Ken Mowery – Shocked this came before Planning Board. Mr. Mowery made personal promises to the neighbors that if they would agree with his decision last time to approve the rezoning he would go no further into the neighborhood, not one inch. There are other ways to do it in his opinion.

Brian Miller made the motion to approve the request (which would reduce the setback from Lilly Avenue from 20 feet to 8 feet). Sean Reid seconded the motion; there was a split vote 5-5.

[NOTE: Elaine Stiller and Jerry Wilkes were absent from this meeting. The Planning Board took separate votes on Z-24S-02 and Z-25S-02 and both were tied, 5-5.]

GROUP DEVELOPMENT SITE PLANS

G-20-02 Randall Metals, 210 Ryan Patrick Drive

Luke Fisher, of Carrol Fisher Construction, submitted the application for the construction of an addition to the building at the existing site at 210 Ryan Patrick Drive. All zoning criteria have been met. The Technical Review Committee recommended approval of the application, as submitted.

Leo Dunn, of Carrol Fisher Construction, said that this is a growing manufacturing company.

Jeff Smith made a motion to approve as submitted; Brian Miller seconded the motion with all members voting AYE.

G-02-97 Alexander Place Apartments, 400 Hamilton Drive

Mike Hedrick, David Drye developer – It was decided to move away from the original plan of previously-approved mini-warehouses on this site in favor of additional apartments. It lays out well for a phase 2, in that it ties in well with the initial phase. They have a centrally located compactor. All zoning criteria have been met. The Technical Review Committee recommended approval of the application as submitted.

Jeff Smith- Asked Hubert Furr if the dumpsters were adequate. Mr. Furr responded that they are adequate for both phases.

Board Discussion:

Rodney Queen made a motion to approve as submitted; Sean Reid seconded the motion with all members voting AYE.

COMMITTEE REPORTS

(a) Committee 3 – Ken Mowery (chairman) reported for the committee that is studying the rezoning case Z-21-02 Burgess & Associates, Inc., 2000 block of Faith Road. All members were present, as was applicant Jim Burgess, attorney Jay Dees, Board member Rodney Queen and several citizens. The committee discussed a number of possible options, and talked about some items, which will be more relevant if and when it gets to the site plan stage. The committee

voted unanimously (3-) in favor of the RD-B zoning, as requested by Mr. Burgess. Brian Miller concluded the meeting by encouraging the developers to keep in contact with neighbors. The committee voted 3-0 to recommend the original rezoning from A-1 to RD-B, without an addition of an "S". Ken Mowery made the motion to approve the committee 3 report and recommendation, Brian Miller seconded the motion with all members voting AYE.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary